1942

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File No. T. D. Bel (Sundholi)

P.9(E)/1942 /42

Legal Dept—

'E' Branch.

Subject :— Building grant paid for the District Local Board Kannad Boys' school, Sundholi, District Belgaum

Trust Deed For _____

T. D. Bel

[redacted]

432

THE SOLICITOR TO THE GOVERNMENT
IN LEGAL DEPARTMENT
File No.
Sub No. 1145
Branch 24/6/42
BOMBAY

NoS.42.(d)-228-D
Poona, 23 June, 1942.

From
The Director of Public Instruction,
Poona.

To
The Solicitor to the Government of Bombay,
Legal Department, Secretariat, Fort, Bombay.

Subject:- Trust Deed for building grant paid for the District Local Board, Kannada Boys' School, Sundholi, District Belgaum.

Sir,

I have the honour to invite a reference to your No. 5973 of 1st July, 1940, on the subject mentioned above, and to forward herewith, for record, a copy of the Trust Deed dated 8th April, 1942, and of the site plan for the building grant of Rs.1920/- paid for the school referred to above.

I have the honour to be,
Your obedient servant,

SOLICITOR TO GOVERNMENT
LEGAL DEPTT.
24 JUN 1942
BOMBAY

for Director of Public Instruction.

GHJ19/6.

Submitted for information

file in file T.D Belgium
42

HQL
25/6
Sdr CE 25/6

T.D. (Bel) 42
27-6-42

11-A-K

Ten Rupees
10 Rs.
Special
Adhesive.

Five Rupees
5 Rs.
Special
Adhesive.

Serial No.1.
Presented at the Office of the
District Registrar of Belgaum,
between the hours of 3 P.M.and
4 P.M. on the 25th May 1942.

sd/- S.D.KOTHAVALE,
PRESIDENT, D.L.B.,BELGAUM,
on behalf of the D.L.B., -
Belgaum.

sd/- C.N.MILLARD,
DISTRICT REGISTRAR,BELGAUM.

Received fees as follows -

Registration fees	...	Rs 9- 0-0.
Extra fee by D.R.	...	" 4- 0-0.
Copying fees (folios 10)		" 1-14-0.
Endorsement fees.	...	" 0- 6-0.
Memo Sec.66.	...	" 0- 8-0.
Filing fee	...	" 0- 8-0.
Total..		" 16-4-0.

Sd/- C.N.MILLARD,
DISTRICT REGISTRAR,BELGAUM.

THIS INDENTURE made the 8th day of April (1942) one thousand nine hundred and forty-two BETWEEN the -- District Local Board of Belgaum established under the - Bombay Local Boards Act,1923(hereinafter referred to as "the Local Board") of the one part and the Governor of Bombay,(hereinafter referred to as "the Government") of the other part WHEREAS the Local Board has applied to - the Government for a Building Site for a School at - - Sundholi in the Gokak Taluka of the Belgaum District -- and for a Building Grant-in-aid of such school and has satisfied the Director of Public Instruction,Province - of Bombay, that the building is intended for and will - be devoted to educational purposes and in part to -- secular education that the plans and estimates and - - specifications are satisfactory and that the building -- has been constructed AND WHEREAS by the rules now in -- force in the Province of Bombay for regulating the -- application of grants made by the Government in aid of - Schools it is provided (inter alia) that no portion of a Building grant shall be paid to the managers of a school unless and until they execute or agree to execute a - - trust deed as in the said rules provided AND WHEREAS the

Government has agreed to allot the piece or parcel of land valued at Rupees sixty described in the schedule hereto and to hold the same for the purposes of the said School in -- manner hereinafter appearing and has sanctioned a Building grant of Rupees 1,920/- (One thousand nine hundred & twenty) paid to the Local Board and the Local Board has agreed to execute these presents, AND WHEREAS the Commissioner, -- Southern Division has sanctioned the transfer hereby made and such sanction is recorded in his memorandum No.L.F.B.93, dated the 3rd May 1941 NOW IT IS HEREBY DECLARED AND AGREED by and between the parties hereto that the Government shall hold and stand possessed of the piece of land described in the schedule hereto and all buildings which now are erected or may for the time being be erected thereon and also all - fittings and fixtures which now are [redacted] or may for the time being be on the premises upon trusts and to and for the intents and purposes following that is to say UPON TRUST to permit the Local -- Board to enter upon the said premises for the purposes and on the conditions following namely that the Local Board and its successors shall —

(1) maintain and keep at all times in good & substantial repairs and condition all the buildings now being, or which may hereafter be, on the said piece of land to the end that the same may be always efficient for use - for the purposes of a school;

(2) Pay all rates charges assessments and expenses leviable or chargeable in respect of the premises and buildings;

(3) use all the premises and buildings as and for the - purposes of a public school to be devoted wholly to education and in part to secular education;

(4) manage and conduct the said school in all respects in accordance with the rules and regulations for the -- time being in force of the Educational Department of the Government of Bombay;

(5) keep the said school at all times open to the inspection of the Inspecting Officers of the Educational Department of the Government of Bombay; and

(6) keep at all times the building or buildings already erected or which may hereafter be erected on the said premises in respect of which a building grant has been given (except the building or buildings in respect of which the Executive Engineer of Belgaum has issued a certificate that in his opinion the risk of fire is not sufficiently great as to render insurance desirable and so long as such certificate has not been cancelled by the Executive Engineer in writing) insured in the joint names of the Local Board and the Government against loss or damage by fire in a sum equal to the cost of such building or buildings including flooring but exclusive of foundation and plinth at the least in some respectable Insurance Office to be approved by the Government or its Agent for the time being and regularly pay the premiums which shall become payable in respect of such insurance and whenever thereunto required so to do, produce to him the policy or policies of such insurance and the receipt for the premium paid thereon in respect of the current year and shall, unless the Local Board has forfeited its right or claim to such policy or policies of insurance as hereinafter provided apply all moneys which may be received by virtue of any such policy or policies in rebuilding or reinstating the premises destroyed or damaged.

PROVIDED ALWAYS and it is hereby declared and agreed that in the event of default being made by the Local Board

Board in the performance of any of the conditions hereinbefore mentioned the said building grant and any future building grants from time to time made by the Government in respect of the said school or so much of the same as shall not then have been made shall lapse and it shall be lawful for the Government at any time thereafter to enter upon and take possession of the said premises and all buildings fittings and fixtures for the time being on the said premises and the same shall be and become absolutely the property of the Government free from incumbrances and discharged from the trusts hereof and from all claims (including the right or claim to, over or in respect of the policy or policies of insurance relating to the said buildings and the amount of premiums paid in respect of such insurance) of the Local Board or its successors, representatives and assigns and all other persons whomsoever IN WITNESS WHEREOF Shankar Dadoba Kothavale, Esquire, B.A.,LL.B., the President of the Local Board and B.D.Mandayur, Esquire, and H.S. Hosmani, Esquire, two other members of the Local Board have hereunto set their hands and the common seal of the Local Board hath been hereunto affixed and Sorab Hamabhoy Moos, Esquire, I.E.S., Director of Public Instruction for the Province of Bombay, hath set his hand and the seal of his Office hereto on behalf of the Governor of Bombay, the day and year first above written.

The SCHEDULE ABOVE REFERRED TO

Description and boundaries of property:-

The piece or parcel of land measures in superficial area 21,780 square feet be the same a little more or less situated in the village of Gundholi and bearing survey number 101 in the Taluka of Gokak in the District of Belgaum and in the Registration Sub-District of Gokak in the said District and measures from North to South 165 feet on the Eastern side and 165 feet on the Western side and from East to West 132 feet on the Northern side and 132 feet on the Southern side, be the same

same a little more or less and is bounded as follows:-

On the North by the foot-path leading to Bhairanhatti village.

On the South by the portion of Survey No.101.

On the East by the portion of Survey No.101.

and on the West by the portion of Survey No.101 and is for greater clearness delineated on the plan - - hereto annexed and signed by the executing parties - - aforesaid.

Signed by Shankar Dadoba Kothavale, Esquire, B.A., LL.B., President, and B.B. - - Mamdapur, Esquire, and M.S. Hosmani, Esquire, two members of the Local - Board of Belgaum, in the presence of

Sd/- S.D.KOTHAVALE,
PRESIDENT.

1. Sd/- B.B.Mamdapur

2. sd. M.S.Hosmani
MEMBERS.

1. Sd. M.P.WALI,
(M.P.Wali) Chief Officer,
D.L.B., Belgaum.

2. sd/- R.B.Walwekar,
(R.B.Walwekar) Head Clerk,
D.L.B., Belgaum.

Seal of the District Local Board, Belgaum.

Signed, Sealed and Delivered by Sorab Nanabhoy Moos, Esquire, I.E.S. Director of Public Instruction for the Province of Bombay in the -- presence of

Sd. S.Moos,
D.P.I., B. P.

sd. P.K.Rege,
Accounts Superintendent,
D.P.I's Office.

sd. R.A.Abhyankar,
Junior Superintendent,
D.P.I's Office.

Annexture:-
Plan.

Seal of the D. P. I., Poona.

P.T.O.

1. Sorab Nanabhoy Moos, Esquire, I.E.S.,Director of Public Instruction,Bombay Province,Poona,on behalf of the -- Governor of Bombay, executing party is exempt from -- personal appearance under Section 88 of the Indian -- Registration Act XVI of 1908. His signature and the -- seal are known to the undersigned District Registrar.

2. Shankar Dadoba Kothavale, Esquire, B.A.,LL.B.,President, District Local Board,Belgaum.

3. Mr. Basavantappa Balappa Mamadapur) Members,District
4. Mr. Mallappa Sivappa Hosamani) Belgaum.

Lingayat, 35, 60 and 33, No.2, residing at Chikodi(Belgaum) No.3, residing at Belgaum and No.4 at Khanapur(Belgaum), -- executing parties admit execution of this document on behalf of the District Local Board,Belgaum. Nos. 2 & 3, are - - - personally known to the undersigned District Registrar.

sd. S.D.KOTHAVALE,

Sd. B. B. MAHADAPUR.

sd. H. S. HOSMANI.

Mallesharpa Prabhappa Vali, Chief Officer, D.L.B.,Belgaum, and known to the District Registrar states that he personally knows the -- above executant No.4 -- Mallappa and identifies - him.

sd. M.P.Vali,
Chief Officer,D.L.B.Belgaum.

Registered No.I of Book No.I Vol.No.3 pages 298 to 306 on 26-5-1942.

sd. C.N.MILLARD,
DISTRICT REGISTRAR,
BELGAUM.

Dated 25th May 1942.

sd/- C.N.Millard,
District Registrar,Belgaum.

Seal of the District Registrar, Belgaum.